

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

62.7206

JOY BRENT,

Plaintiff

vs.

NO.:

**VARIETY WHOLESALERS, INC.,
d/b/a ROSES STORE,**

Defendant

NOTICE OF REMOVAL

Defendant, Variety Wholesalers, Inc., d/b/a Roses Store (hereinafter "Defendant,") by and through counsel, and pursuant to 28 U.S.C. §1446, hereby files this Notice of Removal, removing this case from the Circuit Court of Shelby County, Tennessee, Docket No.: CT-4350-21, Division VII, where this action is currently pending, to the United States District Court for the Western District of Tennessee, Western Division. This action is removable pursuant to 28 U.S.C. § 1332(a) in that Plaintiff's claims set forth in the Complaint invoke this Court's diversity jurisdiction and the amount in controversy exceeds the statutorily required sum of Seventy-Five Thousand Dollars and 00/100 (\$75,000.00). In further support of removal, Defendant would show unto the Court, as follows:

1. Plaintiff, Joy Brent, is a resident citizen of Memphis, Tennessee.
2. Defendant, Variety Wholesalers, Inc., d/b/a Roses Store, is a Delaware Corporation.

3. A true and correct copy of all process and pleadings filed in the Circuit Court of Shelby County, Tennessee relating to this action are attached hereto as Exhibit "A" and are incorporated herein by reference.

5. Plaintiff's Complaint seeks expressed compensatory damages in the amount of Two Hundred Fifty Thousand Dollars and 00/100 (\$250,000.000).

6. The United States District Court for the Western District of Tennessee, Western Division, is the federal judicial district and division embracing the Circuit Court of Shelby County, Tennessee, where this suit was originally filed on October 27, 2021.

7. Pursuant to 28 U.S.C. § 1332(a), this action is removable as it invokes this Court's federal diversity jurisdiction in that complete diversity exists among the parties. Therefore, this Court has subject matter jurisdiction over this action and removal is proper.

8. Pursuant to 28 U.S.C. § 1446(d), a copy of this Notice of Removal will be filed in the Circuit Court of Shelby County, Tennessee, and written notice will be provided to all parties in this cause along with a copy of this pleading.

WHEREFORE, Defendant, Variety Wholesalers, Inc., d/b/a Roses Store, respectfully prays that the filing of this Notice of Removal in this Court, the giving of written notice thereof to all parties in this cause, and the filing of a copy of this Notice of Removal with the Clerk of the Circuit Court of Shelby County, Tennessee, shall affect the removal of this action to this Court.

Respectfully submitted,

**McNABB, BRAGORGOS,
BURGESS & SORIN, PLLC**

By: s/Pamela Warnock Blair, #10407
Attorney for Defendant
81 Monroe Avenue, Sixth Floor
Memphis, Tennessee 38103
(901) 624-0640
pblair@mbbslaw.com

CERTIFICATE OF SERVICE

This certifies that on the 6th day of December 2021, a true and correct copy of the foregoing document has been served upon opposing counsel for all parties or all parties individually through the Court's Electronic Filing System (CM/ECF) and/or email to the following:

David A. Gold, Esq.
25 Dr. Martin Luther King, Jr. Aveue
Memphis, Tennessee 38103

s/Pamela Warnock Blair